

Resolution No.: 15-1222

Introduced: November 22, 2005

Adopted: November 22, 2005

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By County Council

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**SUBJECT:** DPWT Docket No. Ab668  
Abandonment – Portion of Somerset Lane  
Colesville Farm Estates, Colesville, Maryland

**Background**

1. By letter dated October 4, 2004, from Macris, Hendricks and Glascock, on behalf of its client, Arthur Williams, the Applicant, application to the County was made to abandon an unimproved portion of Somerset Lane in the Colesville Farm Estates subdivision in Colesville. The subject area is shown on the attached Tax Map JR62 as highlighted.
2. A Public Hearing to consider the abandonment proposal was conducted on March 16, 2005, by the Designee of the County Executive.
3. The Police Department had no objection.
4. Washington Suburban Sanitary Commission had no objection.
5. Washington Gas did not respond and concurrence is assumed.
6. PEPCO had no objection.
7. Verizon had no objection.
8. Maryland-National Capital Park and Planning Commission conditioned its approval upon Applicant filing a record plat for the proposed re-subdivision contained in Colesville Farm Estates Preliminary Plan No. 1-05004.
9. The Department of Public Works and Transportation conditioned approval upon the County's reservation of rights for any County storm drain facilities or public utility facilities within the area and upon the condition that the Applicant, within 24 months, file a plat of abandonment pursuant to Colesville Farm Estates Preliminary Plan No. 1-05004.

10. The Department of Fire and Rescue Services had no objection.
11. The County Executive recommends approval of the proposed abandonment with the aforesaid conditions.

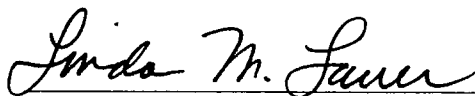
**Action**

The County Council for Montgomery County, Maryland, finds that the unimproved portion of Somerset Lane shown on the attached Tax Map JR62 as highlighted is no longer necessary for public use, pursuant to Section 49-62 and Section 49-63 of the Montgomery County Code (2004), as amended, and approves the abandonment subject to the following conditions:

1. The Applicant shall record all necessary easements and if necessary relocate facilities for any affected public utility companies and Montgomery County for storm drainage facilities in place, as well as proposed facilities, for purposes of repair and maintenance.
2. The Applicant shall bear all costs for the preparation and recordation of all necessary easement documents and plats. Within twenty-four (24) months from the date of this Resolution applicant must file a plat of abandonment incorporating the former right-of-way and pursuant to the proposed Colesville Farm Estates Preliminary Plan No. 1-05004.
3. The County Attorney shall record among the Land Records of Montgomery County, Maryland, a copy of the Resolution approving abandonment of the subject area, subject to the reservation of rights specified in this Resolution.
4. Any person aggrieved by the action of the Council for abandonment may appeal to the Circuit Court within 30 days after the date such action is taken by Council.

Attachment – Tax Map JR62

This is a correct copy of Council Action.

  
Linda M. Lauer, Clerk of the Council

PARCEL 10-A

MAP J  
W.S.S.C.  
Location: PAINT

**MDP**  
Maryland